

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NIEJEA FRANKLIN STERN, :
Plaintiff :
v. : Case No. 2:23-cv-1722-KAP
S.C.I. PHOENIX C.O.s, :
Defendants :
:

Memorandum Order

On October 3, 2023, plaintiff Stern, imprisoned at S.C.I. Phoenix (in Montgomery County), submitted a civil complaint alleging that unnamed corrections officers at Phoenix had lost his property there. Although filed with a facially valid motion to proceed *in forma pauperis*, the complaint alleges Stern's lost property is worth \$450,000. That would be incompatible with *ifp* status.

I do not resolve that inconsistency because Montgomery County is in the Eastern District of Pennsylvania. Because plaintiff is there, the events alleged to give rise to the claim happened there, and plaintiff has not identified any defendants, much less any defendants not residing there, under 28 U.S.C. § 1391(b) venue is proper in the Eastern District and is not proper here.

Pursuant to 28 U.S.C. § 1404(a), the Clerk shall forthwith transfer this matter to the United States District Court for the Eastern District of Pennsylvania for disposition as that Court deems appropriate, and mark this matter closed.



DATE: October 6, 2023

Keith A. Pesto,
United States Magistrate Judge

Notice by U.S. Mail to:

Niejea Stern MQ-9157
S.C.I. Phoenix
1200 Mokychic Road
Collegeville, PA 19426